

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THERMUTHIS BALLARD LEE,

*Plaintiff,*

v.

ELI SMITH, et al.,

*Defendants.*

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CIVIL ACTION

NO. 20-0139

**ORDER**

AND NOW, this 13<sup>th</sup> day of February, 2020, upon consideration of *pro se* Plaintiff Thermuthis Ballard Lee's Application to Proceed *In Forma Pauperis* (ECF No. 1), Complaint (ECF No. 2), and Request for Appointment of Attorney (ECF No. 4), it is hereby ORDERED as follows:

1. Leave to proceed *in forma pauperis* is GRANTED pursuant to 28 U.S.C. § 1915.
2. The Complaint is DEEMED filed.
3. Plaintiff's federal claims are DISMISSED WITH PREJUDICE for the reasons in the Court's Memorandum. Any state law claims are DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction subject to Plaintiff refiling those claims in state court.
4. The Request for Appointment of Attorney is DENIED.
5. The Clerk of Court shall CLOSE this case.

BY THE COURT:

/s/ C. Darnell Jones, II  
C. DARNELL JONES, II     J.